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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PRO-FOOTBALL, INC. and NFL
PROPERTIES LLC,

Opposers,

-against-

DAVID S. CAMPBELL,

Applicant.



08-08-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

Opposition No. 91152156

**OPPOSERS' MOTION TO STRIKE NOTICE OF
RELIANCE, IN ITS ENTIRETY, AS UNTIMELY**

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08/19/2003 TMB
Opposers Pro-Football, Inc. and NFL Properties LLC submit this Motion to Strike pursuant to TBMP §§ 532, 707.02(b)(1) for an Order striking Applicant's Notice of Reliance.

ARGUMENT

Applicant filed his notice of reliance on August 6, 2003 — nearly a month after his testimony period closed on July 9, 2003. Accordingly, the Board should strike Applicant's Notice of Reliance (and, thus, the evidence submitted thereunder), in its entirety, as untimely. See, e.g., Jean Patou Inc. v. Theon Inc., 18 U.S.P.Q.2d 1072, 1075 (T.T.A.B. 1990) (granting motion to strike untimely notice of reliance); The May Dep't Stores Co. v. Prince, 200 U.S.P.Q. 803, 805 n.1 (T.T.A.B. 1978) (granting motion to strike untimely notice of reliance).

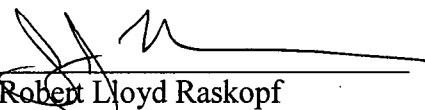
CONCLUSION

For these reasons, Opposers respectfully request that the Board issue an order striking Applicant's Notice of Reliance and the evidence submitted thereunder.

Dated: New York, New York
August 8, 2003

Respectfully submitted,

WHITE & CASE LLP

By: 
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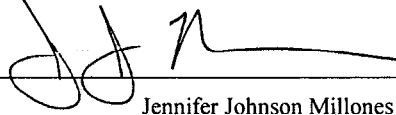
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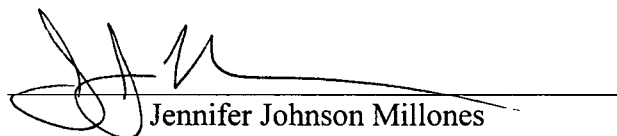


Jennifer Johnson Millones

08/19/2003 TAB

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 2.119, I certify that I transmitted a copy of OPPOSERS' MOTION TO STRIKE NOTICE OF RELIANCE, IN ITS ENTIRETY, AS UNTIMELY by Federal Express, to David S. Campbell, Applicant *pro se*, whose address is 6100 Uptown Blvd., N.E., Suite 500, Albuquerque, New Mexico 87110 on August 8, 2003.


Jennifer Johnson Millones